

HOUSE BILL 1103

By Shaw

AN ACT to amend Tennessee Code Annotated, Title 49,  
relative to tutoring.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as the "Operation Comeback Act."

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 1, Part 9, is amended by  
adding the following as a new section:

(a) The department shall develop and administer a tutoring program to provide  
access to high-quality tutoring services to students enrolled in kindergarten through  
grade three (K-3) to combat student learning loss resulting from the COVID-19  
pandemic.

(b) The program must:

(1) Be offered as a collaboration between LEAs, public charter schools,  
nonprofit organizations, and the department;

(2) Utilize churches and other community buildings as tutoring centers to  
provide in-person instruction in small groups;

(3) Be limited to forty (40) students per tutoring center; however, no more  
than twenty (20) students are permitted to be physically present at a tutoring  
center at the same time to ensure proper social distancing;

(4) Provide a student-to-tutor ratio of at least one (1) tutor for every ten  
(10) students; and

(5) Provide tutoring services on a rotating weekly schedule through which  
one-half (1/2) of the students attend the tutoring two (2) days in a week and the

remaining students attend three (3) days. In the following week, the students who attended the tutoring two (2) days the previous week will attend three (3) days and the remaining students will attend two (2) days.

(c) The department shall develop a list of qualifications that an individual interested in providing tutoring services through the program must possess. The list of qualifications must include, but is not limited to, the following:

(1) The individual must hold an active teaching license in this state; and

(2) The individual must be endorsed to teach the subject for which the individual intends to provide tutoring services.

(d) Notwithstanding subsection (c), the department may develop a policy allowing retired teachers who do not hold an active teaching license to provide tutoring services through the program.

(e) The department shall work with LEAs, charter school governing bodies, and educator preparation program providers to promote, advertise, and publicize the tutoring program to individuals who may be interested in providing tutoring services through the program.

(f) The department shall develop a process by which an LEA or public charter school can refer a student to the tutoring program based on a student's performance on math or reading assessments or screeners administered in kindergarten through grade three (K-3).

(g) The department shall develop a program to provide initial training and certification for tutors approved pursuant to subsection (c) or (d), and provide ongoing professional development for tutors, both of which may include online training options.

(h) The department shall develop and provide to tutors instructional materials that must be used by tutors when providing tutoring services to students. Tutors shall

only use state-approved curricula, and focus on the development and recovery of reading and math skills.

(i) A local board of education that provides school transportation services for students under chapter 6, part 21 of this title may provide students attending a tutoring center established under this section with transportation to and from the tutoring center.

SECTION 3. The state board of education is authorized to promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. This act is not an appropriation of funds, and funds must not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.